

Senate Study Bill 3239

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON KREIMAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the time limit on executions of judgments and
2 orders.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6543XC 82
5 rh/nh/8

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1 1 Section 1. Section 626.16, Code 2007, is amended to read
1 2 as follows:
1 3 626.16 RECEIPT AND RETURN.
1 4 Every officer who receives an execution shall provide a
1 5 receipt, if required, stating the hour when the same was
1 6 received, and shall make sufficient return of the execution,
1 7 together with the money collected, on or before the ~~one~~
~~1 8 hundred twentieth~~ three hundred sixty-fifth day from the date
1 9 of its issuance.
1 10 Sec. 2. Section 642.23, unnumbered paragraph 1, Code 2007,
1 11 is amended to read as follows:
1 12 Notwithstanding the ~~one-hundred-twenty-day~~
1 13 three-hundred-sixty-five-day period in section 626.16 for the
1 14 return of an execution in garnishment for the payment of a
1 15 support obligation, the sheriff shall promptly deposit any
1 16 amounts collected with the clerk of the district court, and
1 17 the clerk shall disburse the amounts, after subtracting
1 18 applicable fees, within two working days of the filing of an
1 19 order condemning funds as follows:
1 20 EXPLANATION
1 21 This bill amends the current time limit in Code section
1 22 626.16 within which an officer must provide, upon request, a
1 23 receipt of an execution of a judgment or order, and return the
1 24 execution together with any money collected, from 123 days to
1 25 365 days.
1 26 The bill also makes a conforming change to a reference to
1 27 the 123-day time limit in Code section 624.23 relating to the
1 28 prompt deposit and disbursement of garnished funds.
1 29 LSB 6543XC 82
1 30 rh/nh/8